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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

Adam Fuller; Steve Sprague; Gabriella
Gourdin; Charlotte Jones; Mikaeli Lechuga;
Aimee Nyguen; Steve Rosales; Riley
Westerguard; Ted Winkworth; Brogan Knebeo;
Patrick Mac.

Plaintiffs.

v.

Salt Lake City.
Defendant,

**PLAINTIFFS OPPOSITION TO
DEFENDANT'S MOTION TO STAY
EXPERT DISCOVERY**

Civil No.: 2:21-cv-00539-DAO

The Honorable Howard C. Nielsen, Jr.

The Honorable Magistrate Dustin B. Pead

Comes now, Plaintiffs, in the United States Federal District Court, State of Utah, and respectfully request the court to deny Defendant's motion to stay expert discovery.

The City files this motion after Plaintiff's had filed their designation of expert witnesses. As already noted in the response to the City's motion to strike, these are non-retained expert witnesses that treated Plaintiffs and the City has already had the medical documents of these providers for months. The parties have already engaged in extensive discovery throughout this past year. The City filed a 55 page dispositive motion. It would take time for dispositive motions to be resolved. If dispositive motions don't resolve the claims, then at an undetermined date in the near future, the parties would have to again engage in expert discovery further prejudicing Plaintiffs.

The events that took place here occurred two years ago and to delay testimony of witnesses further for a undetermined time would be severely prejudicial to Plaintiff's and the claims and their ability to effectively resolve these claims in a timely manner. Staying the discovery process because one party decided to file a dispositive motion does not warrant an extreme circumstance. In normal circumstances, parties engage in the discovery process and dispositive motions are due after the discovery process. There is nothing here out of the norm in this case or extreme that would warrant a deviation from the norm and Defendant's request should be denied.

Dated and stipulated this 2nd day of May, 2023

/s/ Brian K. Jackson

Brian K. Jackson

Brian K. Jackson, LLC

Attorney for Plaintiffs

Certificate of Service

I certify under penalties of perjury subject to the Utah State Code that I mailed a true and correct copy of the Motion for Extension of time via electronic filing and e-mail with the CMF e-filing system which sent notice to all Defendants who have made an appearance on this matter on May 2nd, 2023.

/s/ Brian Jackson
Brian K. Jackson
Brian K. Jackson, LLC
Attorney from Plaintiffs